

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA,	:	
	:	
v.	:	Case No. 1:10cr200 (LMB)
	:	
LEE BENTLEY FARKAS,	:	
	:	
Defendant.	:	

**NOTICE OF FILING SECOND SET OF LETTERS FOR SENTENCING**

PLEASE TAKE NOTICE that the defendant, LEE BENTLEY FARKAS, by and through his counsel, is filing the following second set of redacted character letters (identified for filing purposes by number as “2-1” through “2-11”):

1. Alan Briggs;
2. Lou Carta;
3. Gerald K. Ergle;
4. Lori Hollifield;
5. Rachael Johnson;
6. Linda Miller;
7. Mark Morose;
8. Jerry T. Ortiz;
9. Patty Ortiz;
10. Dina Parker;
11. Tim Wieser.

Addresses and telephone numbers have been redacted, and counsel for the



### **CERTIFICATE OF SERVICE**

I hereby certify that on the 17<sup>th</sup> day of June, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to at least the following registered ECF users:

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/s/

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May 30, 2011

Dear Judge Brinkema,

My name is Alan Briggs, and I've known Lee Farkas for 17 years. As a gay man, I was very proud of the way he represented our particular community within the larger community - that is Ocala, Florida. I am sure that by now you have read letters outlining some of the charitable and humanitarian activities in which Lee has been involved over the years. I will not reiterate those accounts. Instead, I would like to take a personal approach to help convey to you the type of interactions and relationships that I observed to be typical in the life of Lee Farkas.

Although Lee and I both called Ocala home for many years, we moved in different professional circles. Our paths crossed only at holiday parties, charity events and occasionally at Lee's fitness center or restaurant. To me, Lee Farkas was a luminary who established ground breaking success in Central Florida. Whenever something special took place in Ocala, often, Lee Farkas' name was somewhere in the small print. I often wondered what it would be like to be a closer friend to Lee. We seemed to have much in common. We were both gay, Jewish men and transplants to Ocala, and we both had lived in this small town for over 20 years. In those 20 years, I watched Lee help transform the little town of Ocala into a very special place. I moved from Ocala in the fall of 2008 and maintained a home there, although it was leased when I moved away. I was often in the area and I kept up with the local news.

When the SIGTARP raid initiated the fall of Taylor Bean & Whitaker, the gossip was viral. I heard stories of criminal activity and deceit. I heard Lee was broke and would never work again. I heard that his remaining businesses were closing, and I read hurtful and tasteless comments on the internet about Lee Farkas. Stories of doom and gloom about Ocala and the community that Lee worked so hard to support were all over the news. Nothing positive was said about Lee in the local paper. It was all bad and it went on for days, weeks and months. The news, of course, was saddening. Although a first generation "Ocalan", Lee Farkas had been considered "Favorite Son," and what I was hearing was a total contradiction to the man who had previously commanded so much respect.

After the crash of Taylor Bean & Whitaker, Lee was left to earn a living from 3 locally owned businesses: a car wash, a steakhouse, and a fitness center. He also owned a series 7 apartments that were primarily for some of his employees. Prior to the fall of TBW, Lee had had little interaction in these smaller businesses, but now he needed help in taking a more hands-on approach to the management of the businesses. He hired me as an operational consultant and I was grateful for the challenge, because after 20 years in the Thoroughbred horse industry, my business was waning and I needed to supplement my income.

This is when I had the opportunity of getting to know Lee personally.

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His businesses were quality establishments that were not far from my home and within close proximity of each other. The initial tasks at hand for me were to observe and investigate. I hoped that Lee would provide me with all of the details of each business so that I could help make appropriate recommendations to him or his staff. In the process of observing and asking questions of Lee, I witnessed something very odd. He didn't seem to know any details about the businesses. He didn't know who signed checks and didn't know the salaries of key people (or anyone for that matter). He didn't know if there were any money controls within the businesses and he didn't know into which banks deposits were made. He didn't know who made those deposits. He didn't understand the personalities of the employees and if they worked together or didn't work together. He didn't know where the mail was received or who went through it, and with regard to his apartments, he didn't know who paid rent and who didn't. I was surprised.

He understood the need for efficiency and how essential it was to have a clean health club with safe equipment, fresh food, clean cars and good service. However, I thought it was strange that Lee didn't ask for reports or set accountability standards of his employees. I discovered businesses where employees were unsupervised and managers were dishonest and they were stealing. Nepotism on the part of his managers was prevalent in the businesses even though the employee handbooks from each entity advised against it. On the payroll, I found employees listed who had never set foot in the establishments in which they earned a paycheck. I saw employees paid 40-hour work weeks and earning salaries twice the average salary in Ocala while working only 5 – 10 hours per week. I observed employees who kept their work spaces in total disarray, having little or no respect for the owner who provided them with gainful employment. I had never encountered any business operations mismanaged to the extent that these were. In short, it was a free-for-all.

I understood that these businesses were not a priority for Lee when he was running TBW, but TBW operations had ceased when I entered the picture. Still Lee had no knowledge of the daily details or workings of the businesses. Shortly after my consulting job began, Lee was indicted; and along with the indictment, came his restraining order. The restraining order included a no-call list of many people. Some who worked in his businesses were on this list. The difficulties involved in performing my job increased ten-fold because key people were not allowed contact with Lee, and hence, with me because I was constantly working with Lee. I interviewed employees about job descriptions and assessed how they functioned with others. I delved into reports and learned about what systems were in place or were not in place and who did what and why. I watched people work, the way they presented themselves, the way they interacted and I took notice of their abilities. My findings uncovered a very large concentration of unskilled, incompetent and idle employees. To be honest, I was shocked. These businesses were well-suited to the area. They offered services that no other establishments in Ocala offered, and the work places were spaces in which most people would be proud to work in while at the same time making a good living. Lee masterfully conceptualized business formulas that worked. He erroneously employed unsuitable people to implement his concepts and visions.

Every time Lee and I were together at one of these establishments, he was brimming with pride and supportive of his people. He told them to "keep up the good work" "you're doing a great job", or would turn to me to ask, "Isn't she wonderful?" or "Isn't he a hard worker?" I asked how he met some of these people and he said things like, "they needed a job," or "she deserved to get out of the job she was in" or "he couldn't afford to eat or "his parent was disabled and he

had family problems and he needed a job close to home.” As a business man, I know the importance of hiring good, hard working people who care for and respect the owner, fellow employees, the property and the opportunity to work. Lee chose people for the wrong reasons ...they needed a job whether they were qualified or not. Unfortunately, he trusted people who were ultimately untrustworthy.

Lee and I connected on many levels. He and I were both successful business men in the Ocala community and our social, spiritual, and political philosophies were similar. Yet, our business styles were very different. It appeared to me that there was a missing link. How could he surround himself with so many people who were self-serving and had questionable motives? It was startling to me. I overheard conversations between Lee and some of his employees in which Lee asked questions, and I knew the answers were dishonest. I had had the advantage of reading reports and other information that contradicted the responses. Still, Lee took their word at face value and defended the position of the employee. I came to realize that there was no missing link. Lee WAS the link. He was the link that held these unqualified employees attached to their jobs. He was the link that allowed a chain of irresponsibility to drive the rusty cogs of these businesses.

There was no other choice but to reorganize. The businesses couldn't sustain themselves the way they were. I became very unpopular with the reorganization but it was necessary. This man who I cared about deeply needed a life saver and I was the one who was about to throw him one.

As Lee and I started spending more time together I met his friends. This was also a surprise. I met some of his friends but they were all very different from Lee. I didn't connect with any of them and not one of them embraced me. It wasn't an issue to me, however, because I enjoyed spending time with Lee. We had meaningful conversations about all the problems in the world. A big issue with Lee is protecting the environment. We talked about global warming, over-population, the growing national debt, and fuel prices. You name it, we talked about it. Lee frequently stated that our conversations were meaningful and they were different from those in his other associations. I think at that time he was beginning to see that he made poor choices.

Lee was apparently attracted to people who displayed needy and aggressive patterns of behavior and they were attracted to him. His ex-domestic partners and personal friends were no exceptions. As long as Lee provided for them, they were near him. I recently visited the former Global Headquarters for TBW in Ocala. The decor was over the top. I told Lee, “this is not you ... what were you thinking?” “ Why did you create this ostentatious space?” He explained that he was never comfortable with the building but that this was what Coda (his ex – partner ) had wanted and although Lee told Coda what he wanted, Coda did the opposite. Sean Murla (another ex partner) and Lee were together for 5 years and Sean liked cars. If that's what Sean wanted, he kicked and screamed until he got what he wanted, and again Lee could not say “no.” I've come to know that Lee is a modest man who embraces the little things in life more than the wealth. The people he surrounded himself with were not modest and wanted the material trappings. When Lee was going through his trial, none of his long-time friends or former partners, who he supported, encouraged and enabled for years bothered to come to the trial or to even ask about him.

Lee describes himself as a risk-taker, and he is, but I couldn't understand why he would undertake the risk of sabotaging his own life by surrounding himself with so many dishonest and disrespectful personal friends and employees who did nothing but "take" from him.

Lee's life changed drastically the day he was indicted. He didn't see it coming. He told me repeatedly that he had no idea that he would ever be indicted. He didn't know what for, he didn't do anything wrong and he believed it. The night he was arrested, I was at an all-day horse auction in Ocala and he was joining me after his daily work out at the gym. Instead, he spent the next nine days in jail.

When Lee was released on bond, things began to shift with him. He had a no-call list a mile long. I know the government wanted to make it tough on him but in my opinion the list was just what he needed. He needed to distance himself from all the people who relied on his money and generosity. A respite from his damaging relationships gave him time to reflect, and it wasn't long before he realized how productive and fulfilling life could be without the constant responsibility of being a caretaker. He didn't have any money, he couldn't talk to anyone and his phone stopped ringing. Without money and the ability to facilitate the needs of others, most of his "friends" had no interest in talking to him. Two reasons: 1) The indictment instilled fear and, 2) He couldn't do anything for them.

During this time, Lee and I worked on co-dependency issues, and we spent time developing friendships with people who had no agendas. I had learned much by attending co-dependency and ACOA (Adult Children of Alcoholic) meetings in the early 90's because I suffered the consequences of an alcoholic Father. I realized that while we are dealing with our dysfunctional behavior we can effectively improve healthy interaction by distancing ourselves from destructive relationships. The restraining order helped Lee accomplish this and gain a new awareness of how this had influenced his poor decisions.

Lee's childhood isn't one that he talks about unless he's prodded to do so. He likes to share good things like when he worked in his Aunt's flower shop every day after school or about summers at the lake with his sister, but he is most reluctant to talk about frequently being bullied in junior high and high school. Lee was an awkward kid that had to figure out how to do things on his own. His dad's health was compromised for years with heart problems until his death at the age of 43. His mother was an alcoholic and died a few years after his dad. In private moments I have asked Lee to tell me what his mother was like and what it was like to be with her. He described her as the life of the party and everybody liked her. He also shared how she would dance on tables, at parties (naked) and drunk. When I asked how this made him feel he was reluctant to talk and his reluctance was very "telling" to me. Lee never learned how to establish boundaries in his family of origin. From what I learned from Lee his home and family life was chaotic. Lee early on knew how to be a caretaker of both his dad and his alcoholic mom. He learned to take responsibility for everything. He tried very hard to make everything better. Lee had no one else to depend on, and he had no choice but to learn to trust himself and believe that his decisions were the right ones. I understand what it's like to be a child of an alcoholic and I know it's often a struggle to find self-worth in this type of relationship.

I had the opportunity to introduce Lee to a number of my friends and family after the indictment, and they were very surprised with the disparity between the media portrayal and the man they

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got to know. They found Lee to be genuine, sincere, and empathetic. The best part? He could only offer his friendship and nothing more. Although he was going through one of the most stressful times in his life, Lee was forced to be more aware of his behavior. Lee learned what it was like to be respected and liked just for being himself and not for what he could provide for others.

I traveled with Lee to Virginia for hearings from last August until the trial. He had no idea what to expect or how to act. After we left the courtroom for the first time, he asked me, "This can't be me they're talking about, is it?" He was scared and my heart went out to him. Later that day, before we took a taxi to the airport, we sat on a bench along the Potomac River. He stated that in years past when he visited Washington D.C. to see the monuments, he would feel overcome with pride because being an American meant so much to him. He got weepy realizing, at that moment, that his country didn't recognize him.

He said (on multiple occasions) to me, "Why do they want to persecute me, they should use me, I could help them. I'm an entrepreneur, without the entrepreneurial spirit, where would this country be?"

Lee was a small town kid who grew up in the 1950's and 1960's in Albuquerque and without a formal education, started a business from nothing. He built his businesses gradually by working harder than everyone else and educating himself. He took pride in the fact that he was a successful entrepreneur.

We went to the trial with the hope of an acquittal. There was so much evidence in his favor. Although extremely complicated, surely the team of attorneys he had could educate the jury and explain the truth. I watched and listened each day of the 9 day proceedings of the trial, the United States of America vs. Lee Bentley Farkas. Even though I've never been in this type of arena before, the proceedings seemed almost too simple for the magnitude of this case. The details of the case were extremely complicated, the circumstances extraordinary and the case monumental - the biggest case the United States Government had on the books. Witness after witness answered questions about Lee, depicting a man that was manipulative, calculating and greedy. The person they were describing was unrecognizable to me. The game at hand was fascinating and maddening at the same time. One of my favorite idioms is "Actions speak louder than words." Lee's actions in day-to-day life were nothing like the words I was listening to in the courtroom. Nothing. To me, the result was tragic. I think Lee Farkas is one of the most misunderstood people I have ever met.

Lee's character is a contradiction in this way. He's an assertive forward thinker and yet, at times so humble, vulnerable and insecure. His mind is that of a savvy business man but his character is humble and overly trusting. "I'll take your handshake as your word." Lee is smart and determined but there isn't anyone that I know who is more empathetic to people, animals and all things living. I have so much respect for Lee Farkas.

You have to know Lee to really appreciate him. You have to observe him and see his body language. He's no gourmet cook, but when he's preparing food, he'll try as hard as he can to make sure it's the best you'll ever eat. He's self deprecating in so many ways. He wants nothing more than to bring joy and make others feel good. I experienced something special every day

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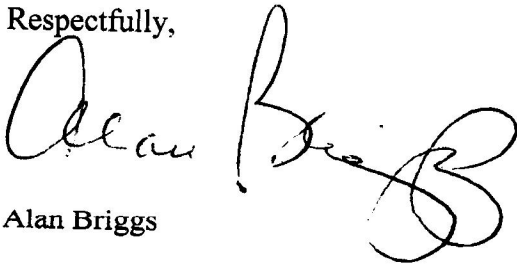
with Lee. He embraces everyone and everything. When we were together - driving down a littered, unkempt road in Ocala - he would point upwards to make sure I saw how beautiful the trees were. If we went to a local diner in town Lee would make the server feel like someone special. He deferred to others, "What do you recommend" and he meant it. Lee viewed everyone equally.

I feel like I've known Lee for a lifetime. We talked about his acquittal and what life would look like when this was all behind him, behind us. Lee operated his business with integrity and never believed he was guilty. One has to watch him, observe him and listen to him communicate with others to fully appreciate his essence. He was committed to making a difference. He had a multitude of ideas and strategies for making a difference for people and for his community. Extraordinary things happen to extraordinary people. To those who think they know Lee from having read newspaper and Internet articles, this notion may be hard to fathom. To those of us who truly know Lee, he is an extraordinary person.

After getting to know Lee, I have likened him to the character played by Jimmy Stewart in "It's a Wonderful Life." What would Ocala and its people be like without a caring man like Lee Farkas. Lee was Ocala's "George Bailey." I have come to know and understand a vulnerable, sincere and quality man and that has made me respect him all the more. It doesn't occur to Lee Farkas to not trust people. "If you trust others, you can be trusted." This is Lee Farkas.

For years, I wondered what it would be like to be a closer friend to Lee. I don't have to wonder anymore. We have become the closest of friends, and I am grateful for it.

Respectfully,

A handwritten signature in black ink, appearing to read "Alan Briggs". The signature is fluid and cursive, with a large, stylized "B" at the end.

Alan Briggs

[REDACTED]

[REDACTED]